

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

JEROME L. STUCKEY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 09 C 2206
	)	
DENNIS CALDERONE,	)	HON. RONALD A. GUZMAN
	)	HON. GERALDINE SOAT BROWN
Defendant.	)	

**AMENDED COMPLAINT**

The Plaintiff, JEROME L. STUCKEY (hereinafter referred to as "STUCKEY") and for his complaint against the Defendant, DENNIS CALDERONE (hereinafter referred to as "CALDERONE") states:

1. This action is brought for damages sustained by STUCKEY by reason of CALDERONE's violation of his civil rights under 42 U.S.C. § 1983, as amended by the Civil Rights Act of 1991.

2. At all times relevant, STUCKEY was a citizen of the United States and a resident of the Northern District of Illinois.

3. At all times relevant, CALDERONE is now, and at all times relevant hereto, was duly employed and acting as an employee or agent of Sheriff of Cook County and guarding inmates at the Cook County Jail within the Northern District of Illinois.

4. This Court has jurisdiction pursuant to 28 U.S.C. § 1343 and 1331.

5. Venue is appropriate in this Court pursuant to 28 U.S.C. § 1391(b) since CALDERONE resides in this judicial district and all of the events giving rise to STUCKEY's claims occurred within this District.

6. At all times relevant hereto, STUCKEY was an inmate at Cook County Jail and was under the care and supervision of CALDERONE within the kitchen of the Cook County Jail.

7. On March 26, 2007 at approximately 4:00 a.m., CALDERONE, not as an individual, but under the color and pretense of the statutes, ordinances, regulations, customs and usages of the State of Illinois, the County of Cook and the City of Chicago and under the authority of his office as a Deputy Sheriff for said County, deprived STUCKEY of his rights, privileges and immunities secured him by the Constitution of the United States including his right to be secure in his person and effects against unreasonable searches and seizures under the Fourth and Fourteenth Amendments of the Constitution of the United States by knowingly, intentionally, and maliciously committing each of the following wrongful acts and omissions:

a. In response to STUCKEY'S fair and accurate response to a question from CALDERONE, CALDERONE got out of his chair, came up to within inches of STUCKEY's face, and told STUCKEY that if he was going to act like a child, he would treat him like he was one of his "fucking kids".

b. CALDERONE then punched STUCKEY in the chest and slapped him twice in the head.

8. As a direct and proximate result of CALDERONE's misconduct and the physical blows with which he struck STUCKEY, STUCKEY suffered pain, injury, and anguish, required medical care and treatment, and will so suffer injuries in the future.

9. At no time while STUCKEY was in the presence of CALDERONE did he resist cooperating or exert any type of force against CALDERONE.

10. At no time while STUCKEY was talking to CALDERONE did he threaten him or challenge CALDERONE's authority in any way.

WHEREFORE, the Plaintiff, JEROME STUCKEY, requests that this Court enter judgment in his favor and against the Defendant, DENNIS CALDERONE, as follows:

1. compensatory damages in an amount in excess of \$75,000.00;
2. punitive damages in an amount to be determined at trial;
3. costs, including reasonable attorney's fees, incurred in connection with this action; and
4. such other relief as this Court may deem appropriate.

THE PLAINTIFF, JEROME STUCKEY, DEMANDS A TRIAL BY JURY.

Respectfully submitted,

/s/ Joel F. Handler  
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